



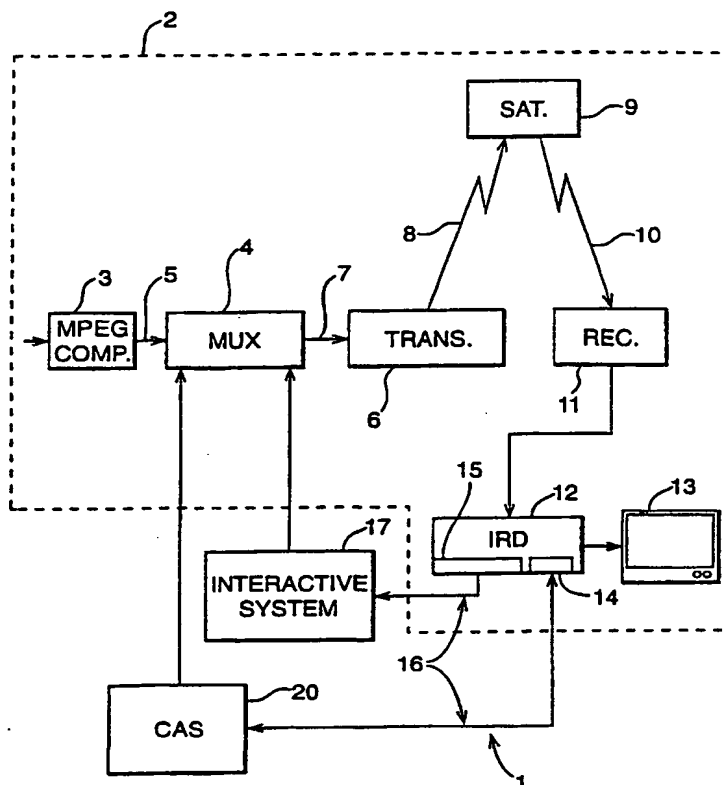
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(54) Title: METHOD AND APPARATUS FOR ENCRYPTED TRANSMISSION

(57) Abstract

A method and apparatus for encryption of data between a first device (12) and a second device (30), in which one or more precalculated key pairs (41) are stored in a memory of the first device (12), the or each key pair comprising a session key and an encrypted version of the session key. The encrypted version is passed to the second device (30), which decrypts (42) the session key, this session key being thereafter used to encrypt data communicated from the second device (30) to the first device (12) and/or vice versa. The invention is particularly applicable to a digital television system in which data, notably control word data, is to be communicated in encrypted form between a decoder and an associated portable security module.



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METHOD AND APPARATUS FOR ENCRYPTED TRANSMISSION

5 The present invention relates to a method and apparatus for encryption of messages between two devices, for example a decoder and a portable security module in a digital television system.

10 Transmission of encrypted data is well-known in the field of pay TV systems, where scrambled audiovisual information is usually broadcast by satellite to a number of subscribers, each subscriber possessing a decoder capable of descrambling the transmitted program for subsequent viewing.

15 In a typical system, scrambled data is transmitted together with a control word for descrambling of the data, the control word itself being encrypted by a so-called exploitation key and transmitted in encrypted form. The scrambled data and encrypted control word are then received by a decoder having access to an equivalent of the exploitation key stored on a portable security module such as a smart card inserted in the decoder. The encrypted control word is then decrypted on the smart card and subsequently communicated to the decoder for use in descrambling the transmitted data.

20 In order to try to improve the security of the system, the control word is usually changed every ten seconds or so. This avoids the situation with a static or slowly changing control word where the control word may become publicly known. In such circumstances, it would be relatively simple for a fraudulent user to feed the know control word to the descrambling unit on his decoder to descramble the transmission.

25 Notwithstanding this security measure, a problem has arisen in recent years where the stream of control words sent during a broadcast becomes known through monitoring of data communicated at the interface between the smart card and decoder. This information may be used by any unauthorised user who has recorded the still-scrambled broadcast on a video recorder. If the film is replayed at the same time as the stream of control words is fed to the decoder, visualisation of the broadcast

becomes possible. This problem has further been exacerbated with the rise of the internet and it is now common to find any number of internet sites that list the stream of control words emitted during a given transmission.

- 5 The European patent application PCT WO 97/3530 in the name of Digco addresses this problem by proposing a solution in which the control word stream passed across the interface between the smart card and decoder is itself encrypted with a session key. The session key is generated randomly by the decoder and encrypted with a second key held in the decoder and corresponding to a public key used with a private/public
10 encryption algorithm. The associated smart card possesses the necessary private key to decrypt the session key, which is thereafter used by the smart card to encrypt the control word stream sent from the smart card to the decoder.

- As will be appreciated, the use of a locally generated session key to encrypt the
15 control word stream means that the encrypted stream cannot thereafter be fed into another decoder for use in descrambling the data since each decoder will possess a different session key for use in decrypting the control word stream sent from the smart card.

- 20 Whilst this solution provides a higher level of security than conventional systems there are nevertheless a number of disadvantages associated with this system.

- Notably, the use of a public/private key algorithm is effectively obligatory in such a system since it is not desirable for security reasons to store both a symmetric key and
25 the associated algorithm in the decoder, due to the ease in which this information may be extracted from a decoder memory. This problem does not arise in the case of a public key, since possession of this key does not enable decryption of private key encrypted messages.

- 30 It is one object of the present invention to provide a more adaptable alternative to the above known system. However, the invention is not limited to the field of decoder security and, as will be described below, may be applied to a number of other

situations in which secure communication of data is required.

A first aspect of the present invention provides a method of encryption of data communicated between a first and second device, wherein at least one precalculated
5 key pair is stored in a memory of the first device, said at least one key pair comprising a session key and an encrypted version of the session key prepared using a transport key, the encrypted version of the session key being subsequently communicated to the second device which decrypts the encrypted version using an equivalent transport key stored in its memory such that data communicated from at
10 least the second to the first device may thereafter be encrypted and decrypted by the session key in the respective devices.

A preferred embodiment provides a method of encryption of data communicated between a first and second device, characterised in that one or more precalculated key
15 pairs are stored in a memory of the first device, the or each key pair comprising a session key and an encrypted version of this session key prepared using a transport key, the encrypted value of the session key being subsequently communicated to the second device which decrypts this value using an equivalent transport key stored in its memory such that data communicated from at least the second to the first device
20 may thereafter be encrypted and decrypted by the session key in the respective devices.

Unlike the Digco system described above, the use of a precalculated stored pair of values avoids the necessity of having to provide an encryption algorithm within the
25 first device (e.g. the decoder) to encrypt an internally generated session key. As a consequence, the algorithm chosen to encrypt the session key need not be limited to a public/private key algorithm but may correspond to a symmetric type algorithm if desired. Nevertheless, as will be understood, the present invention may also be implemented using public/private key algorithms to encrypt the session key, as will
30 be discussed in further detail below.

Advantageously, a plurality of key pairs are stored in the memory of the first device,

the first device selecting and processing one or more session keys to generate a definitive session key and communicating the associated encrypted value or values to the second device for decryption and processing by the second device to generate the definitive session key.

5

The provision of a plurality of key pairs within the first device enables the first device to choose and define a different definitive session key for each communication session. In one embodiment, a subset of a plurality of stored session keys is chosen by the first device to generate the definitive session key, the associated encrypted values of these subset session keys being communicated to the second device for decryption and processing.

10

Depending on the type of operation used, the resulting definitive session key may be dependent on the order of combination of the chosen session keys. In such an embodiment, this order information is communicated to the second device to enable the second device to correctly generate the definitive session key using the associated encrypted values.

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For example, an initial session key value known to both the first and second devices may be repeatedly encrypted in both devices by an ordered sequence of session keys using an encryption algorithm sensitive to the order of encryption, such as the DES symmetric algorithm.

20

Of course, where the first device is using a selected subset of keys to generate the definitive session key, it may not be necessary to also use an order dependent algorithm to generate a changeable definitive session key and the keys may be combined, for example, using a simple arithmetical operation.

25

In one advantageous embodiment, the one or more precalculated key pair values may be selected from a larger set of precalculated key pairs prior to storage in the first device. For example, the operator or system manager may communicate a large number of precalculated key pairs to the manufacturer of the first device, the device

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manufacturer thereafter selecting at random the key pairs to be stored in a given device.

In this way, the key pair or pairs embedded in the first device will be unique to that device, or at least quasi-unique, thereby increasing the level of security for the system. Furthermore, the entity responsible for manufacture of the device need not possess the algorithm or keys used to prepare the encrypted session key values but may be simply supplied with a table of key pairs.

- 10 Preferably, the encrypted key value or values communicated to the second device also include a signature value that may be read by the second device to verify the authenticity of the communicated value.

- 15 Such a signature value can be generated and verified in accordance with a conventional signature system, for example using combination of hash and public/private key algorithms such as MD5 and RSA, this signature being appended to the key pair values stored in the first device.

- 20 Conveniently, the signature value can also be precalculated at the time of calculation of the encrypted key value and thereafter stored in the first device.

- 25 In a particularly preferred embodiment, the algorithm and transport key used to encrypt and decrypt the session key or keys correspond to a symmetric algorithm and associated symmetric key. The use of a symmetric algorithm enables an increase in the processing time necessary for the second device to decrypt the session key in comparison with an operation using a public/private key algorithm.

- 30 Whilst one of the advantages of the present invention lies in the adaptability of the present system to use a symmetric algorithm, it will be appreciated that this is not obligatory. For example, in an alternative embodiment, the session key or keys may be encrypted by a public key prior to storage in the first device and decrypted by an equivalent private key within the second device.

Further preferably, the encryption algorithm used with the session key to encrypt and decrypt data communicated between the first and second device (or vice versa) corresponds to a symmetric algorithm. The choice of algorithm used may depend on the system requirements such as the need to have bidirectional communication between the devices.

Suitable symmetric algorithms may include DES or even an appropriate proprietary algorithm. Suitable public/private key algorithms may comprise RSA or other similar algorithms.

As mentioned above, the present invention is particularly applicable to the field of digital television and, in one preferred embodiment, the first device corresponds to a decoder and the second device to a portable security module (or vice versa).

The portable security module may conveniently comprise a smart card. If so, the data encrypted with the session key may correspond to simple control word information used by the decoder to descramble broadcast data.

The same principle may also be applied to the case where the descrambling unit in the decoder is implemented as a detachable conditional access module or CAM, broadcast data being descrambled in the conditional access module and communicated to the decoder.

In this embodiment, the first device may thus correspond to a decoder and the second device to a detachable conditional access module. If so, the data encrypted with the session key will normally correspond to the data descrambled by the conditional access module e.g. the broadcast programme itself.

In a conditional access module implementation, a smart card may also form part of the system, this card being inserted in the conditional access module to decrypt the control word, which is then passed to the conditional access module to permit descrambling of the broadcast programme. If so, the first device may then correspond to a

conditional access module, the second device to a smart card and the data encrypted with the session key to control word data.

Within the field of digital television, the invention may also be applied to the communication of data between a decoder and other devices, such as a television or video recorder. In particular, in one embodiment, the first device corresponds to a first decoder and the second device to a second decoder.

In households possessing a first and second decoder, there are often a number of problems associated with maintaining communication between a first or "master" decoder and a second "slave" decoder. The use of a secure encrypted link to communicate audiovisual data, control word data, or even data relating to current subscription rights and exploitation keys, may prove useful in this context.

In yet a further realisation, the present invention may be applied to home network system, the first and second devices corresponding to first and second consumer electronic devices adapted to transfer data via a communication link (e.g. radio, PLC, infra-red etc.).

The above embodiments have been described in relation to a method of encryption of data. Viewed from another aspect, the invention may equally be applied to first and second devices adapted to carry out such a method.

Another aspect of the present invention provides a system for providing secure communication of data between first and second devices, said first device comprising a memory for storing at least one precalculated key pair comprising a session key and an encrypted version of the session key prepared using a transport key, and communication means, such as a communication link, for communicating the encrypted version of the session key to said second device, said second device comprising a memory for storing an equivalent transport key, decryption means, such as a processor, for decrypting said encrypted version of the session key using said equivalent transport key, and means, such as the processor, for encrypting data to be

communicated to said first device using said session key.

Features described above relating to method aspects of the present invention can also be applied to device or system aspects, and vice versa.

5

As used above, the terms "portable security module", "smart card" and "conditional access module" may be interpreted in their broadest sense as applying to any portable microprocessor and/or memory based card capable of carrying out the described functions.

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As particular examples of such devices, a smart card may correspond to a card device constructed in accordance with the known international standards ISO 7816-1, 7816-2 and 7816-3 whilst the conditional access module may be implemented as a PCMCIA or PC card corresponding to the standards fixed by the PCMCIA group. Other physical shapes and forms are of course possible.

15

The terms "scrambled" and "encrypted" and "control word" and "key" have been used at various parts in the text for the purpose of clarity of language. However, it will be understood that no fundamental distinction is to be made between "scrambled data" and "encrypted data" or between a "control word" and a "key".

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Similarly, unless obligatory in view of the context stated or unless otherwise specified, no limitation to either symmetric or public/private algorithms is to be inferred for a given encryption and/or decryption process. In the same way, whilst the matching keys used in encrypting and decrypting information may be referred to by the same name (e.g. "transport key", "session key") it is to be understood that these need not be numerically identical keys as long as they fulfil their functions. For example, the corresponding public and private keys used to encrypt and decrypt data will normally possess numerically different values.

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The term "receiver/decoder" or "decoder" as used herein may connote a receiver for receiving either encoded or non-encoded signals, for example, television and/or radio

signals, which may be broadcast or transmitted by any appropriate means. Embodiments of such decoders may also include a decoder integral with the receiver for decoding the received signals, for example, in a "set-top box", a decoder functioning in combination with a physically separate receiver, or such a decoder including additional functions, such as a web browser, integrated with other devices such as a video recorder or a television.

As used herein, the term "digital transmission system" includes any transmission system for transmitting or broadcasting for example primarily audiovisual or multimedia digital data. Whilst the present invention is particularly applicable to a broadcast digital television system, the invention may also be applicable to a fixed telecommunications network for multimedia internet applications, to a closed circuit television, and so on.

As used herein, the term "digital television system" includes for example any satellite, terrestrial, cable and other system.

There will now be described, by way of example only, a number of embodiments of the invention, with reference to the following figures, in which:

Figure 1 shows by way of background the overall architecture of a digital TV system;

Figure 2 shows the architecture of the conditional access system of Figure 1;

Figure 3 shows a method of encryption of data between a smart card and a decoder according to this embodiment of the invention;

Figure 4 shows the generation of a session key in a decoder operating according to the embodiment of Figure 3; and

Figure 5 shows the steps in the preparation of a session key in a smart card interfacing with the decoder of Figure 4.

The present invention describes a method of encryption of data, in particular but not exclusively applicable to the encryption of data across the interface between a portable security module and decoder in a digital television system. By way of background, the architecture of a known digital television system will now be described.

5

Digital Television System

An overview of a digital television system 1 is shown in Figure 1 comprising a broadcast system 2 which uses the MPEG-2 compression system to transmit
10 compressed digital signals. In more detail, an MPEG-2 compressor 3 in a broadcast centre receives a digital signal stream (for example a stream of audio or video signals). The compressor 3 is connected to a multiplexer and scrambler 4 by linkage 5. The multiplexer 4 receives a plurality of further input signals, assembles one or more transport streams and transmits compressed digital signals to a transmitter 6 of the
15 broadcast centre via linkage 7, which can of course take a wide variety of forms including telecom links.

The transmitter 6 transmits electromagnetic signals via uplink 8 towards a satellite transponder 9, where they are electronically processed and broadcast via a notional
20 downlink 10 to earth receiver 11, conventionally in the form of a dish owned or rented by the end user. The signals received by receiver 11 are transmitted to an integrated receiver/decoder 12 owned or rented by the end user and connected to the end user's television set 13. The receiver/decoder 12 decodes the compressed MPEG-2 signal into a television signal for the television set 13.

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A conditional access system 20 is connected to the multiplexer 4 and the receiver/decoder 12, and is located partly in the broadcast centre and partly in the decoder. It enables the end user to access digital television broadcasts from one or more broadcast suppliers. A portable security module in the form of a smartcard
30 capable of decrypting messages relating to broadcast programmes or data can be inserted into the receiver/decoder 12.

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An interactive system 17, also connected to the multiplexer 4 and the receiver/decoder 12 and again located partly in the broadcast centre and partly in the decoder, may be provided to enable the end user to interact with various applications via a modemmed back channel 16.

5

The conditional access system 20 will now be described in more detail. With reference to Figure 2, in overview the conditional access system 20 includes a Subscriber Authorization System (SAS) 21. The SAS 21 is connected to one or more Subscriber Management Systems (SMS) 22, one SMS for each broadcast supplier, for example by a respective TCP-IP linkage 23 (although other types of linkage could alternatively be used). Alternatively, one SMS could be shared between two broadcast suppliers, or one supplier could use two SMSs, and so on.

First encrypting units in the form of ciphering units 24 utilising "mother" smartcards 25 are connected to the SAS by linkage 26. Second encrypting units again in the form of ciphering units 27 utilising mother smartcards 28 are connected to the multiplexer 4 by linkage 29. The receiver/decoder 12 receives a portable security module, for example in the form of "daughter" smartcard 30. It is connected directly to the SAS 21 by Communications Servers 31 via the modemmed back channel 16. The SAS sends, amongst other things, subscription rights to the daughter smartcard on request.

The smartcards contain the secrets of one or more commercial operators. The "mother" smartcard encrypts different kinds of messages and the "daughter" smartcards decrypt the messages, if they have the rights to do so.

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The first and second ciphering units 24 and 27 comprise a rack, an electronic VME card with software stored on an EEPROM, up to 20 electronic cards and one smartcard 25 and 28 respectively, for each electronic card, one card 28 for encrypting the ECMs and one card 25 for encrypting the EMMs.

30

The operation of the conditional access system 20 of the digital television system will now be described in more detail with reference to the various components of the

television system 2 and the conditional access system 20.

Multiplexer and Scrambler

- 5 With reference to Figures 1 and 2, in the broadcast centre, the digital audio or video signal is first compressed (or bit rate reduced), using the MPEG-2 compressor 3. This compressed signal is then transmitted to the multiplexer and scrambler 4 via the linkage 5 in order to be multiplexed with other data, such as other compressed data.
- 10 The scrambler generates a control word used in the scrambling process and included in the MPEG-2 stream in the multiplexer. The control word is generated internally and enables the end user's integrated receiver/decoder 12 to descramble the programme.
- 15 Access criteria, indicating how the programme is commercialised, are also added to the MPEG-2 stream. The programme may be commercialised in either one of a number of "subscription" modes and/or one of a number of "Pay Per View" (PPV) modes or events. In the subscription mode, the end user subscribes to one or more commercial offers, or "bouquets", thus getting the rights to watch every channel inside
- 20 those bouquets. In the preferred embodiment, up to 960 commercial offers may be selected from a bouquet of channels.

In the Pay Per View mode, the end user is provided with the capability to purchase events as he wishes. This can be achieved by either pre-booking the event in advance

25 ("pre-book mode"), or by purchasing the event as soon as it is broadcast ("impulse mode"). In the preferred embodiment, all users are subscribers, whether or not they watch in subscription or PPV mode, but of course PPV viewers need not necessarily be subscribers.

Entitlement Control Messages

Both the control word and the access criteria are used to build an Entitlement Control

Message (ECM). This is a message sent in relation with a scrambled program; the message contains a control word (which allows for the descrambling of the program) and the access criteria of the broadcast program. The access criteria and control word are transmitted to the second encrypting unit 27 via the linkage 29. In this unit, an
5 ECM is generated, encrypted and transmitted on to the multiplexer and scrambler 4. During a broadcast transmission, the control word typically changes every few seconds, and so ECMs are also periodically transmitted to enable the changing control word to be descrambled. For redundancy purposes, each ECM typically includes two control words; the present control word and the next control word.

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Each service broadcast by a broadcast supplier in a data stream comprises a number of distinct components; for example a television programme includes a video component, an audio component, a sub-title component and so on. Each of these components of a service is individually scrambled and encrypted for subsequent
15 broadcast to the transponder 9. In respect of each scrambled component of the service, a separate ECM is required. Alternatively, a single ECM may be required for all of the scrambled components of a service. Multiple ECMs are also generated in the case where multiple conditional access systems control access to the same transmitted program.

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Entitlement Management Messages (EMMs)

The EMM is a message dedicated to an individual end user (subscriber), or a group of end users. Each group may contain a given number of end users. This organisation
25 as a group aims at optimising the bandwidth; that is, access to one group can permit the reaching of a great number of end users.

Various specific types of EMM can be used. Individual EMMs are dedicated to individual subscribers, and are typically used in the provision of Pay Per View
30 services; these contain the group identifier and the position of the subscriber in that group.

Group subscription EMMs are dedicated to groups of, say, 256 individual users, and are typically used in the administration of some subscription services. This EMM has a group identifier and a subscribers' group bitmap.

5 Audience EMMs are dedicated to entire audiences, and might for example be used by a particular operator to provide certain free services. An "audience" is the totality of subscribers having smartcards which bear the same conditional access system identifier (CA ID). Finally, a "unique" EMM is addressed to the unique identifier of the smartcard.

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EMMs may be generated by the various operators to control access to rights associated with the programs transmitted by the operators as outlined above. EMMs may also be generated by the conditional access system manager to configure aspects of the conditional access system in general.

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The term EMM is also often used to describe specific configuration type messages communicated between the decoder and other elements of the system and, for example, will be used later in this application to refer to a specific message passed from the decoder to a smart card.

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Subscriber Management System (SMS)

A Subscriber Management System (SMS) 22 includes a database 32 which manages, amongst others, all of the end user files, commercial offers, subscriptions, PPV details,
25 and data regarding end user consumption and authorization. The SMS may be physically remote from the SAS.

Each SMS 22 transmits messages to the SAS 21 via respective linkage 23 which imply modifications to or creations of Entitlement Management Messages (EMMs) to be
30 transmitted to end users.

The SMS 22 also transmits messages to the SAS 21 which imply no modifications or

creations of EMMs but imply only a change in an end user's state (relating to the authorization granted to the end user when ordering products or to the amount that the end user will be charged).

- 5 The SAS 21 sends messages (typically requesting information such as call-back information or billing information) to the SMS 22, so that it will be apparent that communication between the two is two-way.

Subscriber Authorization System (SAS)

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The messages generated by the SMS 22 are passed via linkage 23 to the Subscriber Authorization System (SAS) 21, which in turn generates messages acknowledging receipt of the messages generated by the SMS 21 and passes these acknowledgements to the SMS 22.

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- In overview the SAS comprises a Subscription Chain area to give rights for subscription mode and to renew the rights automatically each month, a Pay Per View Chain area to give rights for PPV events, and an EMM Injector for passing EMMs created by the Subscription and PPV chain areas to the multiplexer and scrambler 4, and hence to feed the MPEG stream with EMMs. If other rights are to be granted, such as Pay Per File (PPF) rights in the case of downloading computer software to a user's Personal Computer, other similar areas are also provided.
- 20

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One function of the SAS 21 is to manage the access rights to television programmes, available as commercial offers in subscription mode or sold as PPV events according to different modes of commercialisation (pre-book mode, impulse mode). The SAS 21, according to those rights and to information received from the SMS 22, generates EMMs for the subscriber.

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The EMMs are passed to the Ciphering Unit (CU) 24 for ciphering with respect to the management and exploitation keys. The CU completes the signature on the EMM and passes the EMM back to a Message Generator (MG) in the SAS 21, where a header

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is added. The EMMs are passed to a Message Emitter (ME) as complete EMMs. The Message Generator determines the broadcast start and stop time and the rate of emission of the EMMs, and passes these as appropriate directions along with the EMMs to the Message Emitter. The MG only generates a given EMM once; it is the ME which performs cyclic transmission of the EMMs.

On generation of an EMM, the MG assigns a unique identifier to the EMM. When the MG passes the EMM to the ME, it also passes the EMM ID. This enables identification of a particular EMM at both the MG and the ME.

Programme Transmission

The multiplexer 4 receives electrical signals comprising encrypted EMMs from the SAS 21, encrypted ECMs from the second encrypting unit 27 and compressed programmes from the compressor 3. The multiplexer 4 scrambles the programmes and sends the scrambled programmes, the encrypted EMMs and the encrypted ECMs to a transmitter 6 of the broadcast centre via the linkage 7. The transmitter 6 transmits electromagnetic signals towards the satellite transponder 9 via uplink 8.

Programme Reception

The satellite transponder 9 receives and processes the electromagnetic signals transmitted by the transmitter 6 and transmits the signals on to the earth receiver 11, conventionally in the form of a dish owned or rented by the end user, via downlink 10. The signals received by receiver 11 are transmitted to the integrated receiver/decoder 12 owned or rented by the end user and connected to the end user's television set 13. The receiver/decoder 12 demultiplexes the signals to obtain scrambled programmes with encrypted EMMs and encrypted ECMs.

If the programme is not scrambled, that is, no ECM has been transmitted with the MPEG-2 stream, the receiver/decoder 12 decompresses the data and transforms the signal into a video signal for transmission to television set 13.

If the programme is scrambled, the receiver/decoder 12 extracts the corresponding ECM from the MPEG-2 stream and passes the ECM to the "daughter" smartcard 30 of the end user. This slots into a housing in the receiver/decoder 12. The daughter smartcard 30 controls whether the end user has the right to decrypt the ECM and to
5 access the programme. If the end user does have the rights, the ECM is decrypted within the smart card and the control word extracted.

Thereafter the smart card then communicates the control word to the decoder 12 which then descrambles the programme using this control word. In most conventional
10 systems, the control word is communicated across the smart card interface in a clear or non-encrypted form, leading to the problems of security described in the introduction of the present application. After descrambling by the decoder, the MPEG-2 stream is decompressed and translated into a video signal for onward transmission to television set 13.

15 In the system described above, the descrambling of the MPEG data is carried out within the decoder using the control word information communicated to the decoder from the smart card. In other systems, the descrambling circuitry may be implemented in a detachable conditional access module or CAM, commonly embodied in the form
20 of a PCMCIA or PC card insertable in a socket in the decoder.

The CAM module may itself further include a slot to receive a smart card. In such systems, control word data is decrypted in the smart card communicated to the CAM module which then descrambles the scrambled MPEG data stream to supply the
25 decoder with a clear MPEG stream for decompression and subsequent display.

In this type of system, sensitive data may be passed between the smart card and CAM (control word data) and/or between the CAM and decoder (descrambled MPEG data) and problems of security may arise at either of these interfaces.

30 Data Encryption across an Interface

Referring to Figure 3, there will now be described a method of data encryption as applied to the control word data communicated between a smart card and a decoder in one of the simplest embodiments of this invention. However, the same principles may be applied to the encryption of control word data between a smart card and a CAM, audiovisual MPEG data between a CAM and a decoder, or indeed any type of data between two such devices.

In accordance with the present invention, a set of key pairs is stored in a non-volatile memory of the decoder e.g. a FLASH memory. Each key pair corresponds to a key value in clear form and an encrypted version of the key. As will be described, the encrypted version of the key will be eventually communicated in an EMM message sent to a smart card inserted in the decoder.

Thus, within the decoder a set of EMM message/key pairs are stored as follows:

15	n	EMM (19 octets)	Key (8 octets)
	1	EMM(1)	Key(1)
	2	EMM(2)	Key(2)
20	3	EMM(3)	Key(3)
	.	.	.
	.	.	.
	.	.	.
25	16	EMM(16)	Key(16)

The encrypted value of the key stored in the EMM is calculated external of the decoder using an encryption algorithm not present in the decoder. In the present example the key values Key(1), Key(2) etc. correspond to symmetric keys to be used with a symmetric encryption algorithm such as DES.

The encryption algorithm used to prepare the encrypted DES key values contained with the stored EMM messages may also correspond to a symmetric encryption algorithm. For increased security, a proprietary symmetric algorithm (PSA) different from DES will be used to prepare the encrypted values, although in another

embodiment DES may also be used to encrypt the key values.

In addition to the encrypted value of the associated key, the EMM message may also include a signature value associated with the message and prepared as per any conventional signature preparation method. For example, a message may be subject to a hash function such as MD5 followed by encryption of the hash value by a private key of private/public key algorithm such as RSA. Verification of the signature may then be carried out at the point of reception using a MD5 algorithm and the corresponding public key of the private/public key pair.

The EMM message will additionally include a standard smart card header element (as defined by the international standard ISO 7816-3) to place the message in a format necessary to permit it to be read by a smart card. An EMM associated with an 8 byte key will therefore typically have the following structure:

Header	5 bytes
Encrypted key	10 bytes
Signature	9 bytes

In the present embodiment a set of 16 key/message pairs are implanted in the memory of the decoder. Alternative embodiments are equally possible using more or less key/message pairs and the invention may even be implemented using a single key/message pair. Whilst it may be envisaged that all decoders are equipped with the same key/message pairs it is preferred for security reasons that each decoder has a unique set of key/message pairs. In implementing this embodiment, an operator may supply to a decoder manufacturer a set of ten thousand or more key/message pairs, the decoder manufacturer taking a random selection of 16 pairs during the personalisation of each decoder.

In order to increase the security, a different subset of the message/key pairs stored in the decoder will be used during each session. A session may be defined as corresponding to each time the decoder is switched on and off, or each time the

decoder changes channel, for example.

Referring to Figure 3, a random number generator 40 within the decoder selects 8 out of the 16 message/key pairs to be used in that session. The 8 selected EMM messages
5 41 of the pairs are then communicated to the smart card 30 to be verified and decrypted and processed as shown at 42 and 43 to obtain the appropriate session key (see below). The same key generation operation is carried out within the decoder at 43 using the corresponding key values of the pairs so as to obtain the same session key value.

10

The generation of the session key within the decoder will now be described with reference to Figure 4.

15

A base session key value KeyS Initial shown at 44 and constant for all decoders is encrypted at 45 by the first key 46 of the subset chosen by the random generator 40. The resulting value is then encrypted at 47 using the second key 48 of the session subset and the operation repeated just until the last encryption operation 49 carried out with the last key 50 of the subset so as to obtain the final session key value shown at 51.

20

The initial session key value KeyS Initial can be a universal value present in all decoders and smart cards, a value linked to a specific decoder/smart card pair or even a value generated at the start of each session in the decoder and thereafter communicated to the smart card.

25

In the example given above, the session key is prepared by a sequence of repeated operations on the KeyS Initial using the DES algorithm and the selected keys 46, 48, 50 etc. In the case of the DES algorithm, the order in which the keys are applied is important and must be respected to produce the same key each time.

30

However, whilst the session key S is itself a numerical value that will be used as a DES key in the subsequent decryption operation (see below), the steps used to

-21-

generate this key value need not correspond to DES encryption steps. Instead, the subset of keys chosen by the random number generator may be combined together in any number of ways to arise at a suitable session key value KeyS Final. For example, the keys may be combined using a sequence of simple arithmetic operations.

5 Depending on the method chosen, it may not be necessary that the order of the steps in the preparation of the KeyS be respected in order to regenerate the same key.

Referring now to Figure 5, the decryption and processing operations 42 and 43 carried out in the smart card 30 to generate the session key used by the smart card will now be described.

10

Upon insertion of the smart card in the decoder, the subset of EMM messages matching the selected key values are sent to the smart card. Authentication of each EMM messages is first carried out with reference to the attached signature value, using

15 for example an MD5/RSA type process as described above. For simplicity, this step has been omitted from Figure 5.

The first EMM message 60 is then decrypted at 61 using a transport key 59 embedded in a secure and non-readable manner within the smart card. As mentioned above, for

20 security reasons the algorithm used in the decryption 61 of the EMM message may correspond to a proprietary security algorithm PSA known only to the operator responsible for preparation of the message/key pairs used in the decoder and the personalisation of the smart card.

25 The transport key KeyT shown at 59 may be a key value common to all smart cards in the system or unique to one such card. The use of a unique key value KeyT requires that the message/key table stored in the decoder be prepared with the same key as that in the card, such that a decoder and card will be irreversibly linked together. In practice, this may not be desirable.

30 A similar decryption operation using the transport key 59 is then carried out at 62 on the next EMM message 63 in the series and 50 on until the last decryption operation

64 on the final EMM message 65.

In the present embodiment, encryption of each of the EMM messages 60, 63, 65 produces keys 46, 48, 50 identical to those associated in the message/key table present in the decoder and used for generation of the session key as described previously. For this reason, the same reference numbers have been used for these keys and for the key generation operation 43 also carried out in the decoder. Similarly, the same initial session key 44 present in the decoder is also stored in the smart card.

10 The initial session key KeyS Initial shown at 44 is then encrypted at 45 by the first key 46, the result re-encrypted at 47 by the second key 48 and so on until the final encryption step carried out at 49 using the last key 50 in the series so as to obtain the final session key at 51.

15 Both the decoder and smart card now possess the same session key KeyS which may thereafter be used in encrypting and decrypting data passed in either direction between the two devices.

Referring back to Figure 3, the smart card 30 receives an encrypted ECM message containing the control word necessary for descrambling an associated segment of MPEG audiovisual or other data. The smart card decrypts the ECM at 71 to obtain the control word value CW.

In passing, we note that the algorithm used to encrypt ECM messages for a user may conveniently correspond to the Proprietary Security Algorithm used for decryption of the EMM messages received from the smart card as described above.

30 The decrypted control word is then re-encrypted at 72 using the session key KeyS and the encrypted control word value $f(CW)$ transmitted over the decoder/smart card interface as shown. The encrypted value $f(CW)$ is then decrypted at 73 using the session key KeyS held in the decoder and the clear value of the control word CW obtained at 74.

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As the session key is symmetric, it may equally be used in the encryption of data transmitted from the decoder to the smart card. Furthermore, the data transmitted from the smart card to the decoder may be data other than simple control word data.

- 5 As mentioned above, the same principle may be applied across all interfaces in a system comprising a decoder in which a detachable CAM module is inserted (decoder/CAM interface, CAM/smart card interface etc.). Similarly, the same principle may be applied in the case of a portable module (either a CAM type module or a smart card) inserted in other devices such as a television or video recorder.

10

In fact, the above method of setting up an encrypted communication channel may be applied to any pair of devices where security of data communication is required. In particular, the same principle may be applied in a home network system where multiple consumer devices (television, video, PC, decoder etc.) transfer data such as
15 audiovisual data or computer files via a communication link. This may be an RF link, an infrared link, a dedicated bus, a power line connection etc. For example, it may be desired to transmit control word in other data in an encrypted form between a decoder and a television or between a master decoder and a slave decoder in the same household.

20

Other examples of systems of this type where a secure communication link would be desirable will also be apparent to the reader.

CLAIMS

1. A method of encryption of data communicated between a first and second device, wherein at least one precalculated key pair is stored in a memory of the first device, said at least one key pair comprising a session key and an encrypted version of the session key prepared using a transport key, the encrypted version of the session key being subsequently communicated to the second device which decrypts the encrypted version using an equivalent transport key stored in its memory such that data communicated from at least the second to the first device may thereafter be encrypted and decrypted by the session key in the respective devices.

2. A method as claimed in claim 1, in which a plurality of key pairs are stored in the memory of the first device, the first device selecting and processing at least one session key to generate a definitive session key and communicating the associated encrypted version of said at least one session key to the second device for decryption and processing by the second device to generate the definitive session key.

3. A method as claimed in claim 2 in which a subset of a plurality of stored session keys is chosen by the first device to generate the definitive session key, the associated encrypted versions of the subset of session keys being communicated to the second device for decryption and processing.

4. A method as claimed in claim 2 or 3, in which the order of combination of a plurality of session keys used to generate the definitive session key is communicated from the first to the second device.

5. A method as claimed in claim 4 in which an initial session key value known to both the first and second devices is repeatedly encrypted in both devices by an ordered sequence of session keys using an encryption algorithm sensitive to the order of encryption.

6. A method as claimed in any preceding claim in which said at least one

-25-

precalculated key pair is selected from a larger set of precalculated key pairs prior to being stored in the first device.

- 5 7. A method as claimed in any preceding claim in which the encrypted version of a session key communicated to the second device also includes a signature value readable by the second device to verify the authenticity of the encrypted version of the session key.
- 10 8. A method as claimed in any preceding claim in which an algorithm and transport key used to encrypt and decrypt a session key correspond to a symmetric algorithm and associated symmetric key.
- 15 9. A method as claimed in any preceding claim in which an encryption algorithm used with a session key to encrypt and decrypt data communicated between the first and second device corresponds to a symmetric algorithm.
10. A method as claimed in any preceding claim, in which the first device is a decoder.
- 20 11. A method as claimed in any preceding claim, in which the second device is a portable security module.
- 25 12. A method as claimed in claim 11, in which the portable security module corresponds to one of a smart card and a conditional access module.
13. A method as claimed in any of claims 1 to 9, in which the first device corresponds to a conditional access module and the second device corresponds to a smart card.
- 30 14. A method as claimed in any of claims 10 to 13, in which data encrypted and decrypted with a session key corresponds to control word data.

15. A method as claimed in any of claims 10 to 13, in which data encrypted and decrypted with a session key corresponds to descrambled broadcast data.

5 16. A method as claimed in any of claims 1 to 9 in which the first and second device correspond to a first and second decoder respectively.

10 17. A method as claimed in any of claims 1 to 9 as applied to a home network system, the first and second devices corresponding to first and second consumer electronic devices adapted to transfer data via a communication link.

15 18. A first device adapted to be used in a method as claimed in any of claims 1 to 17, the first device including a memory in which at least one precalculated key pair is stored, said at least one precalculated key pair comprising a session key and an encrypted version of this session key.

20 19. A second device adapted to be used in a method as claimed in any of claims 1 to 18 and with a first device as claimed in claim 18, the second device comprising a memory in which is stored a key and algorithm that are needed to decrypt the encrypted session key value stored in the memory of the first device.

25 20. A first and second device as claimed in claims 18 and 19, in which the first device corresponds to a decoder and the second device to a portable security module.

30 21. A system for providing secure communication of data between first and second devices, said first device comprising a memory for storing at least one precalculated key pair comprising a session key and an encrypted version of the session key prepared using a transport key, and communication means for communicating the encrypted version of the session key to said second device, said second device comprising a memory for storing an equivalent transport key, decryption means for decrypting said encrypted version of the session key using said equivalent transport key, and means for encrypting data to be communicated to said first device using said session key.

22. A system as claimed in claim 21, wherein the memory of the first device is adapted to store a plurality of key pairs, the first device comprising means for selecting and processing at least one session key to generate a definitive session key
5 said communication means being adapted to communicate the associated encrypted version of said at least one session key to the second device, said second device comprising means for processing said at least one session key to generate the definitive session key.

10 23. A system as claimed in claim 21 or 22, in which the encrypted version of a session key includes a signature value readable by the second device to verify the authenticity of the encrypted version of the session key.

15 24. A system as claimed in any of claims 21 to 23, in which an algorithm and transport key used to encrypt and decrypt a session key correspond to a symmetric algorithm and associated symmetric key.

20 25. A system as claimed in any of claims 21 to 24, in which an encryption algorithm used with a session key to encrypt and decrypt data communicated between the first and second device corresponds to a symmetric algorithm.

26. A system as claimed in any of claims 21 to 25, in which the first device is a decoder.

25 27. A system as claimed in any of claims 21 to 26, in which the second device is a portable security module.

28. A system as claimed in claim 27, in which the portable security module corresponds to one of a smart card and a conditional access module.

30

29. A system as claimed in any of claims 21 to 25, in which the first device corresponds to a conditional access module and the second device corresponds to a

smart card.

30. A system as claimed in any of claims 21 to 25 in which the first and second device correspond to a first and second decoder respectively.

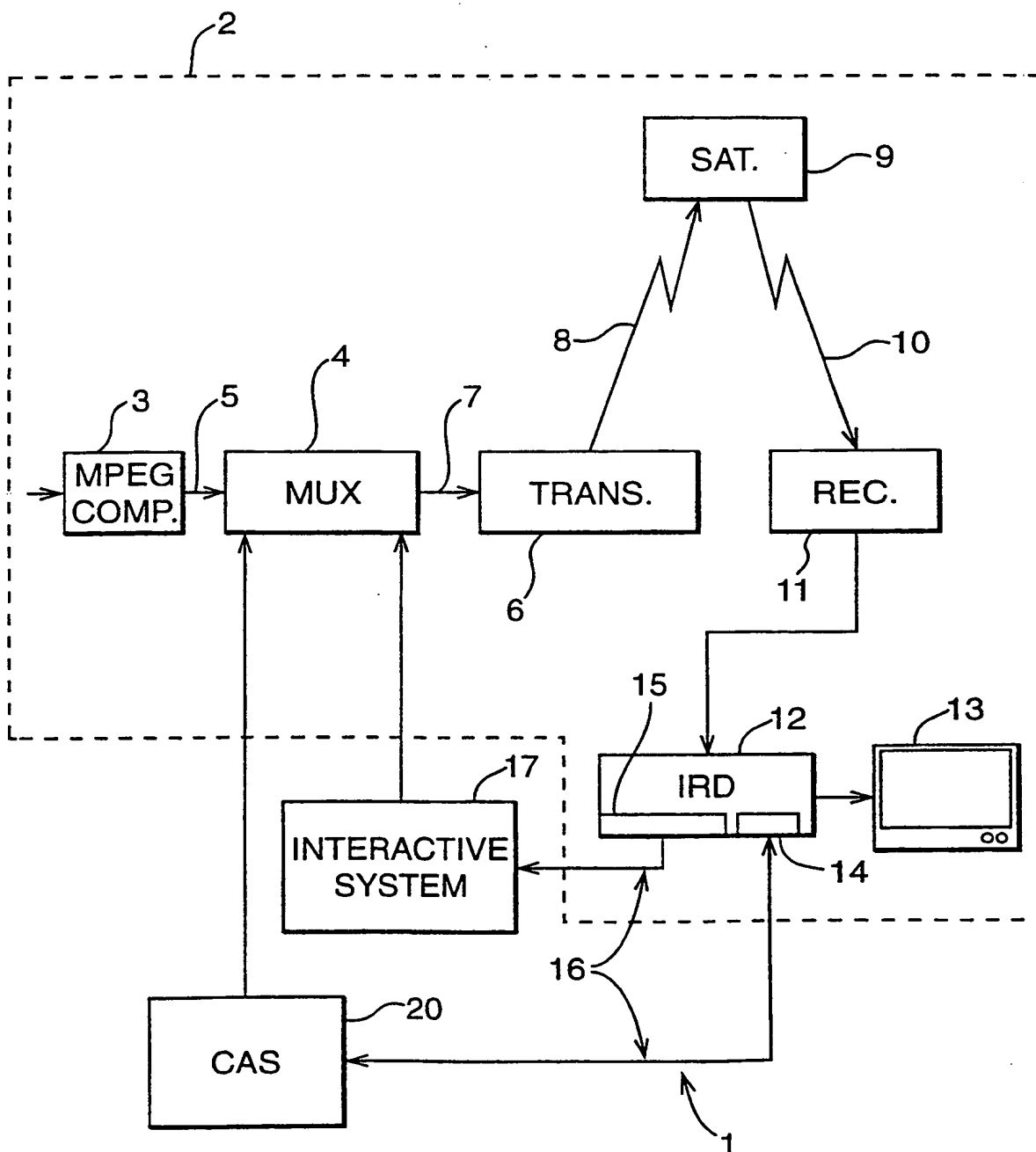
5

31. A system as claimed in any of claims 21 to 25 as applied to a home network system, the first and second devices corresponding to first and second consumer electronic devices adapted to transfer data via a communication link.

10 32. A method of encryption of data communicated between a first and second device substantially as herein described.

33. A system for providing secure communication of data between first and second devices substantially as herein described.

15

FIG. 1

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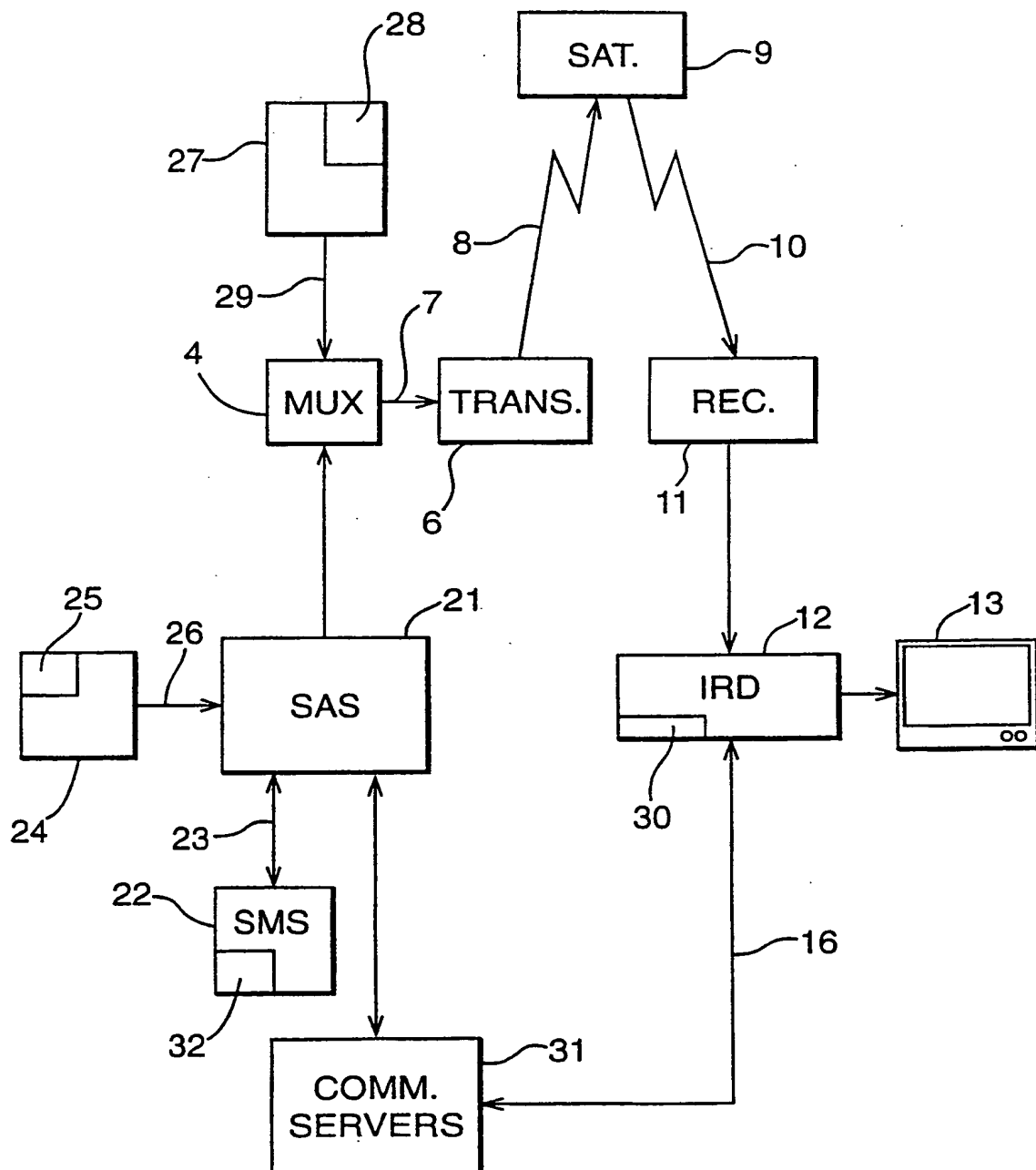
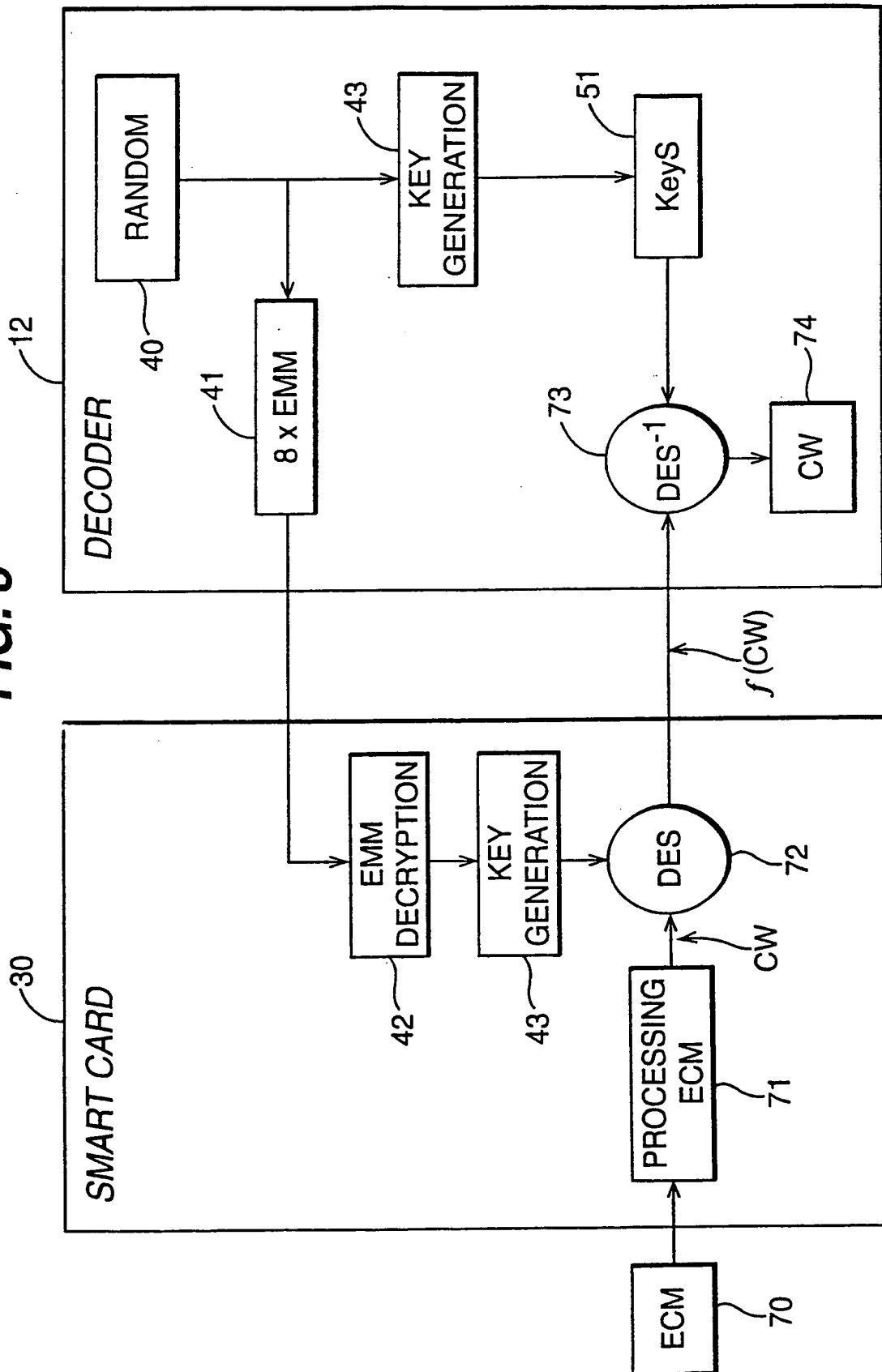
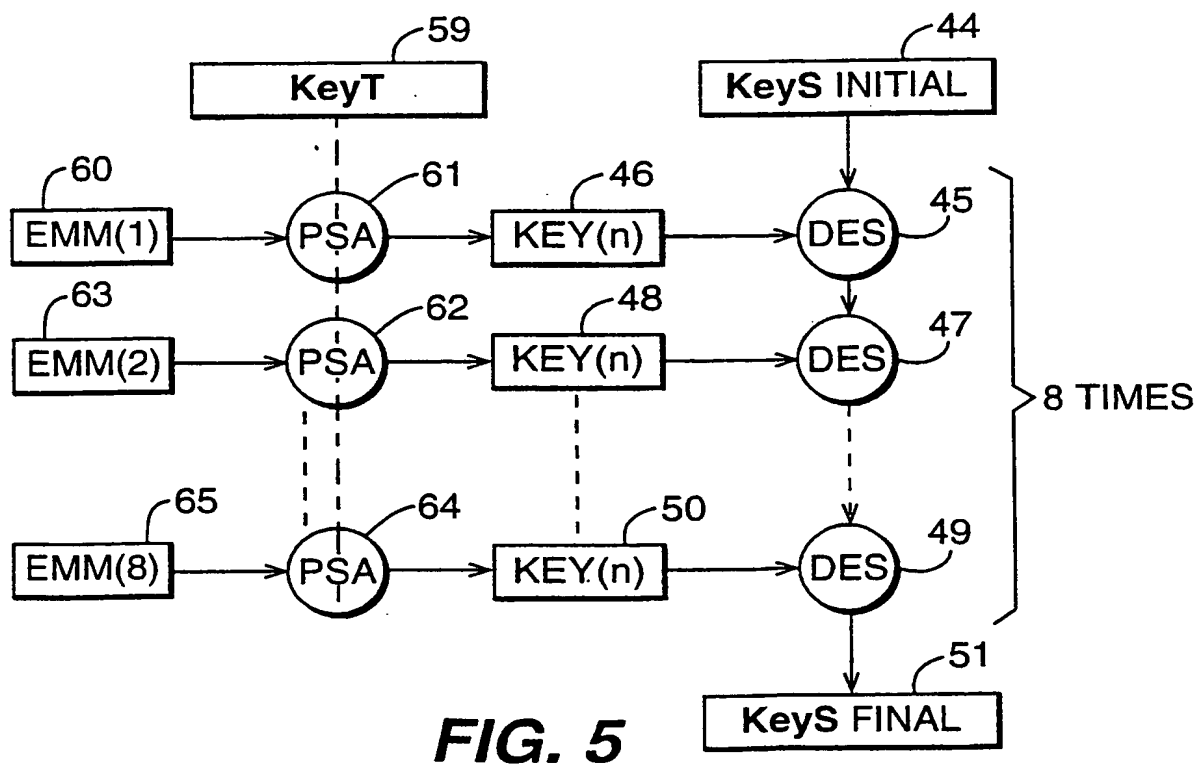
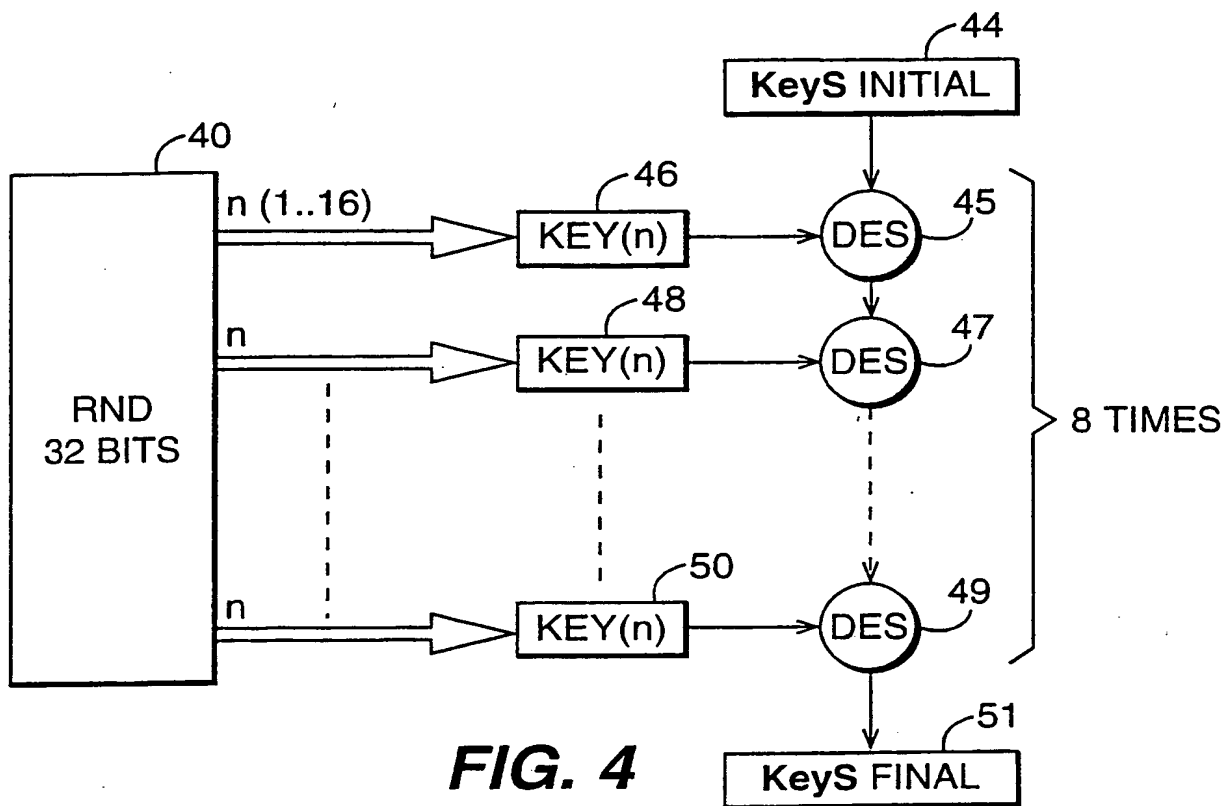
FIG. 2

FIG. 3



4/4



INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB 00/00163

A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 H04N7/16 H04N7/167

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
 IPC 7 H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 817 485 A (THOMSON MULTIMEDIA SA) 7 January 1998 (1998-01-07) page 3, column 3, line 54 -page 5, column 8, line 11 figures 1-5	1,2,4, 10-15, 17, 19-22, 26-29
X	EP 0 723 371 A (THOMSON MULTIMEDIA SA) 24 July 1996 (1996-07-24) page 3, column 3, line 57 -page 5, column 7, line 8 figures 1-4	1,2,4, 10-15, 19-22, 26-29
	-/-	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

31 May 2000

Date of mailing of the international search report

07/06/2000

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Authorized officer

Van der Zaal, R

INTERNATIONAL SEARCH REPORT

Int .tional Application No

PCT/IB 00/00163

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>EBU PROJECT GROUP B/CA: "FUNCTIONAL MODEL OF A CONDITIONAL ACCESS SYSTEM"</p> <p>EBU REVIEW- TECHNICAL, no. 266, 21 December 1995 (1995-12-21), pages 64-77, XP000559450 Grand Saconnex, CH page 64, left-hand column, line 1 -page 72, right-hand column, line 29 figures 1-8</p>	1-33

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 00/00163

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0817485 A	07-01-1998	FR 2750554 A CN 1171015 A JP 10164052 A US 6035038 A	02-01-1998 21-01-1998 19-06-1998 07-03-2000
EP 0723371 A	24-07-1996	FR 2729521 A JP 8307850 A	19-07-1996 22-11-1996

PATENT COOPERATION TREATY

09/890587

From the:
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

WRITTEN OPINION

(PCT Rule 66)

<p>To:</p> <p>COZENS, Paul Dennis MATHYS & SQUIRE 100 Gray's Inn Road London WC1X 8AL GRANDE BRETAGNE</p>	<p>RECEIVED MATHYS & SQUIRE</p> <p>- 8 SEP 2000</p> <p>REPLY DATE 6/12/00</p> <p>REPLY W. OPINION</p> <p>REPLY D/A 6/10/00</p>	<p>Date of mailing (day/month/year) 06.09.2000</p>
<p>Applicant's or agent's file reference PDC/AB/21215</p>		<p>REPLY DUE within 3 month(s) from the above date of mailing</p>
<p>International application No. PCT/IB00/00163</p>	<p>International filing date (day/month/year) 04/02/2000</p>	<p>Priority date (day/month/year) 04/02/1999</p>
<p>International Patent Classification (IPC) or both national classification and IPC H04N7/16</p>		
<p>Applicant CANAL+ SOCIETE ANONYME et al.</p>		

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - i ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain document cited
 - VII ☐ Certain defects in the international application
 - VIII ☒ Certain observations on the international application

3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: **04/06/2001**.

FR 038278

<p>Name and mailing address of the international preliminary examining authority:</p> <p> European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465</p>	<p>Authorized officer / Examiner</p> <p>Luckett, P</p> <p>Formalities officer (incl. extension of time limits)</p> <p>Eriksson, I</p> <p>Telephone No. +49 89 2399 2432</p>
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WRITTEN OPINION

International application No. PCT/IB00/00163

I. Basis of the opinion

1. This opinion has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed".*):

Description, pages:

1-23 as originally filed

Claims, No.:

1-33 as originally filed

Drawings, sheets:

1/4-4/4 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

3. This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1,21,32,33 NO
Inventive step (IS)	Claims	2-20,22-31 NO
Industrial applicability (IA)	Claims	1-33 YES

2. Citations and explanations

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1 The subject matter of all claims is considered to be industrially applicable as it relates to the encryption of transmitted data which is a technical facility offering considerable industrial advantage to security against piracy. However, the subject matter of at least independent claims 1, 21, 32 and 33 is anticipated (Art 33(2) PCT) by the disclosure of:-

D1: EP-A-0 817 485 (THOMSON MULTIMEDIA SA) 7 January 1998 (1998-01-07)
- 2 This document discloses a conditional access system allowing a service provider to supply services only to those users who have acquired entitlements to these services. The services supplied by a service provider consist of an item scrambled by control words. In order to keep the control words secret, they are supplied after having been encrypted with an algorithm with key K. The entitlements of each user are forwarded in messages commonly denoted EMM (the abbreviation EMM standing for "Entitlement Management Messages"). According to the invention, the key K of the control words encryption algorithm is contained in the EMMs.
- 3 As can best be seen from the disclosure of D1 relating to the data format depicted in figure 4b, one embodiment of the D1 system includes the transmission of a first Key K (corresponding to the so-called "session key" in claims 1 and 21) encoded under function E in accordance with a second key KC. This second key corresponds to the so-called "transport key" mentioned in the vague terms of claims 1 and 21. By definition it too must be available to the Rx unit so as to be able to derive the encoded key K by reverse process. Once this happens it is an automatic consequence that data communicated by the Rx unit to the Tx unit "may thereafter be encrypted ..." etc. as defined in the independent claims. Thus these claims include no novel features over this general disclosure of D1.
- 4 In the remaining claims minor modifications to the apparatus defined in the head

claims are set out, all of which in so far as they are not explicitly disclosed in D1, relate to routine measures normally to be expected of the skilled man. Thus these claims also lack an inventive step.

- 5 It is not at present apparent which part of the application could serve as a basis for a new claim. Should the applicant nevertheless regard some particular matter as patentable an independent claim including such particular matter should be filed. The applicant should also indicate in the letter of reply the difference vis à vis the state of the art and the significance thereof.

Re Item VIII

Certain observations on the international application

- 6 The independent claim/s/ should be cast in the two part form, with those features which in combination are part of the prior art (see document D1) being placed in the preamble. This considered to be particularly appropriate in the present case as it is regarded as essential to establishing a clear picture of the contribution made by the applicants vis-a-vis the closely relevant subject matter known from D1.
- 7 Reference signs in parentheses inserted in the claims would increase their intelligibility. This applies to both the preamble and characterising portion.
- 8 The description should be brought into conformity with the any new claims filed; care should be taken during revision, especially of the introductory portion including any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed.
- 9 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein. To reflect the state of the art adequately in the description, the document D1 should be identified in the opening pages and the relevant background art disclosed therein should be briefly discussed.

**WRITTEN OPINION
SEPARATE SHEET**

International application No. PCT/IB00/00163

- 10 "Omnibus" type claims such as claims 32 and 33 are not permitted by some granting authorities (e.g. the EPO).
- 11 In order to facilitate the examination of the conformity of the amended application with the requirements of Article 34(2)(b) PCT, the applicant is requested to clearly identify the amendments carried out, no matter whether they concern amendments by addition, replacement or deletion, and to indicate the passages of the application as filed on which these amendments are based (see also Rule 66.8(a) PCT). If the applicant regards it as appropriate these indications could be submitted in handwritten form on a copy of the relevant parts of the application as filed.



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One of these labels should be affixed to a prominent place in the upper part of the letter or form etc. which you are filing.

PATENT COOPERATION TREATY

PCT

09/890587


REC'D 24 OCT 2000

WIPO

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PDC/AB/21215		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB00/00163	International filing date (day/month/year) 04/02/2000	Priority date (day/month/year) 04/02/1999	
International Patent Classification (IPC) or national classification and IPC H04N7/16			
Applicant CANAL+ SOCIETE ANONYME et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none">I <input checked="" type="checkbox"/> Basis of the reportII <input type="checkbox"/> PriorityIII <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicabilityIV <input type="checkbox"/> Lack of unity of inventionV <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statementVI <input type="checkbox"/> Certain documents citedVII <input type="checkbox"/> Certain defects in the international applicationVIII <input checked="" type="checkbox"/> Certain observations on the international application			
Date of submission of the demand 17/07/2000		Date of completion of this report 18.10.2000	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized officer Luckett, P Telephone No. +49 89 2399 8965	



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IB00/00163

I. Basis of the report

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

Description, pages:

1-23 as originally filed

Claims, No.:

1-33 as originally filed

Drawings, sheets:

1/4-4/4 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB00/00163

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	
	No:	Claims	1
Inventive step (IS)	Yes:	Claims	
	No:	Claims	2-33
Industrial applicability (IA)	Yes:	Claims	1-33
	No:	Claims	

2. Citations and explanations

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB00/00163

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1a The subject matter of all claims is considered to be industrially applicable as it relates to the encryption of transmitted data which is a technical facility offering considerable industrial advantage to security against piracy.
- 1b However, the subject matter of at least independent claim 1 is anticipated (Art 33(2) PCT) by the disclosure of:-

D1: EP-A-0 817 485 (THOMSON MULTIMEDIA SA) 7 January 1998 (1998-01-07)

- 2 This document discloses a conditional access system allowing a service provider to supply services only to those users who have acquired entitlements to these services. The services supplied by a service provider consist of an item scrambled by control words. In order to keep the control words secret, they are supplied after having been encrypted with an algorithm with key K. The entitlements of each user are forwarded in messages commonly denoted EMM (the abbreviation EMM standing for "Entitlement Management Messages"). According to the invention, the key K of the control words encryption algorithm is contained in the EMMs.
- 3a As can best be seen from the disclosure of D1 relating to the data format depicted in figure 4b, one embodiment of the D1 system includes the transmission of a first Key K (corresponding to the so-called "session key" in claims 1 and 21) encoded under function E in accordance with a second key KC. This second key corresponds to the so-called "transport key" mentioned in the vague terms of claims 1 and 21. By definition it too must be available to the Rx unit so as to be able to derive the encoded key K by reverse process. Once this happens it is an automatic consequence that data communicated by the Rx unit to the Tx unit "may thereafter be encrypted -" etc. as defined in the independent claims. Thus these claims include no novel features over this general disclosure of D1.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB00/00163

- 3b The applicants' counter arguments in letter of reply dated 28.9.2000, are rendered spurious by the fact that they are based upon a misunderstanding of the breadth of terms used in the claims.
- 3c The independent claims are not limited to the use of any form of "card". Method claim 1 is not limited to any aspect of encryption and transmission from the "second" device to the "first". The claim 1 clause to the effect that this "may" occur, in no way limits the scope of the claim. This clause can at best be understood as a statement of the self evident fact that, once in possession of any encryption key, that key "may" be used to encrypt further data for onward secure transmission to any destination whatsoever (including in particular, the return path).
- 3d The mere observation that the availability of an enciphered "session key" at the "second" device, renders it **possible** to use that same key for encryption of data to be sent back to the "first" device, is manifestly also true of the D1 system, and it is for this reason that the D1 system is considered to anticipate the extremely broad terms of present claim 1. The terms of at least claim 1 are not limited by the **method step** that any such enciphering and reverse direction transmission actually takes place.
- 3e And even if this were to be the case ("system" claim 21 does define "means" merely suitable "for" so doing) , such could not be regarded as involving an inventive step. Given that the skilled person, having received cyphered data under a particular key (as in D1) and wanting to return secure data while still being in possession of the original key and enciphering algorithm, would inevitably realise that use of the respective cyphering algorithm under the same key carries the self evident advantages that there is no need to send the key back to its originator, or provide an further cypher algorithm.
- 4 In the remaining claims minor modifications to the apparatus defined in the head claims are set out, all of which in so far as they are not explicitly disclosed in D1, relate to routine measures normally to be expected of the skilled man. Thus these claims also lack an inventive step.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB00/00163

- 5 It is not at present apparent which part of the application could serve as a basis for a new claim. Should the applicant nevertheless regard some particular matter as patentable an independent claim including such particular matter should be filed. The applicant should also indicate in the letter of reply the difference vis à vis the state of the art and the significance thereof.

Re Item VIII

Certain observations on the international application

- 6 The independent claim/s/ should be cast in the two part form, with those features which in combination are part of the prior art (see document D1) being placed in the preamble. **This considered to be particularly appropriate in the present case as it is regarded as essential to establishing a clear picture of the contribution made by the applicants vis-a-vis the closely relevant subject matter known from D1.**
- 7 Reference signs in parentheses inserted in the claims would increase their intelligibility. This applies to both the preamble and characterising portion.
- 8 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein. To reflect the state of the art adequately in the description, the document D1 should be identified in the opening pages and the relevant background art disclosed therein should be briefly discussed.
- 9 "Omnibus" type claims such as claims 32 and 33 are not permitted by some granting authorities (e.g. the EPO).

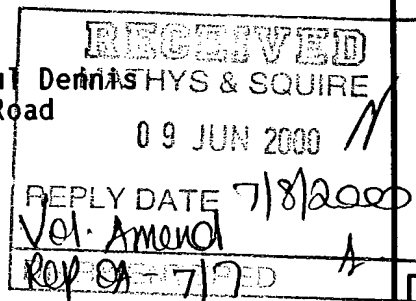
PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

MATHYS & SQUIRE
Attn. Cozens Paul Dennis
100 Gray's Inn Road
London WC1X 8AL
UNITED KINGDOM



NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference PDC/AB/21215	Date of mailing (day/month/year) 07/06/2000
International application No. PCT/IB 00/00163	FOR FURTHER ACTION See paragraphs 1 and 4 below
Applicant CANAL+ SOCIETE ANONYME et al.	International filing date (day/month/year) 04/02/2000

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.


☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Shantisaroop Pherai FR 038326
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NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

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NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference PDC/AB/21215	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/IB 00/ 00163	International filing date (day/month/year) 04/02/2000	(Earliest) Priority Date (day/month/year) 04/02/1999
Applicant CANAL+ SOCIETE ANONYME et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

- ☒ as suggested by the applicant.
- ☐ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.

1
☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB 00/00163

A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 H04N7/16 H04N7/167

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
 IPC 7 H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 817 485 A (THOMSON MULTIMEDIA SA) 7 January 1998 (1998-01-07) page 3, column 3, line 54 -page 5, column 8, line 11 figures 1-5 ---	1,2,4, 10-15, 17, 19-22, 26-29
X	EP 0 723 371 A (THOMSON MULTIMEDIA SA) 24 July 1996 (1996-07-24) page 3, column 3, line 57 -page 5, column 7, line 8 figures 1-4 --- -/--	1,2,4, 10-15, 19-22, 26-29

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

31 May 2000

Date of mailing of the international search report

07/06/2000

Name and mailing address of the ISA
 European Patent Office, P.B. 5818 Patentlaan 2
 NL - 2280 HV Rijswijk
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
 Fax: (+31-70) 340-3016

Authorized officer

Van der Zaal, R

FR 038330

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB 00/00163

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>EBU PROJECT GROUP B/CA: "FUNCTIONAL MODEL OF A CONDITIONAL ACCESS SYSTEM" EBU REVIEW- TECHNICAL, no. 266, 21 December 1995 (1995-12-21), pages 64-77, XP000559450 Grand Saconnex, CH page 64, left-hand column, line 1 -page 72, right-hand column, line 29 figures 1-8</p> <p>-----</p>	1-33

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INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 00/00163

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 0817485 A	07-01-1998	FR 2750554 A CN 1171015 A JP 10164052 A US 6035038 A	02-01-1998 21-01-1998 19-06-1998 07-03-2000
EP 0723371 A	24-07-1996	FR 2729521 A JP 8307850 A	19-07-1996 22-11-1996

FR 038332

PATENT COOPERATION TREATY

3

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C.20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 25 August 2000 (25.08.00)	
International application No. PCT/IB00/00163	Applicant's or agent's file reference PDC/AB/21215
International filing date (day/month/year) 04 February 2000 (04.02.00)	Priority date (day/month/year) 04 February 1999 (04.02.99)
Applicant MAILLARD, Michel	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
17 July 2000 (17.07.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Juan Cruz Telephone No.: (41-22) 338.83.38
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